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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO**

<p><b>Harry J. Williby,</b></p> <p style="text-align: center;"><b>Plaintiff,</b></p> <p style="text-align: center;"><b>vs.</b></p> <p> <b>Sergey Brin,          Larry Page,          Pichai Sundararajan, a.k.a.,          Sundar Pichai, his predecessor,          Eric Schmidt, dba, Alphabet,          Inc.,          Google, LLC., and YouTube,          LLC., dba, Blogger, dba,          Google AdSense          (Pay-Per-Click)          Mark Zuckerberg, dba,          Facebook, Inc.,          Jeff Bezos, dba,          Amazon.com, Inc., and          Doe(s)/Roe(s) 1-10,          Defendant(s).</b> </p>	<p>Case No.: <b><u>C22-01271-VC</u></b></p> <p><b>[SECOND AMENDED] MOTION FOR ENTRY OF DEFAULT [Rule 55(a), Federal Rules of Civil Procedure]</b></p>
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**I. INTRODUCTION**

The undersigned counsel, on behalf of plaintiff, Harry J. Williby, moves the Clerk  
 of the Court for entry of a default as to defendants Sergey Brin, Larry Page, Pichai

1 Sundararajan, a.k.a., Sundar Pichai, his predecessor, Eric Schmidt, dba, Alphabet, Inc.,  
2 Google, LLC., and YouTube, LLC., dba, Blogger, dba, Google AdSense (Pay-Per-Click)  
3 and Mark Zuckerberg, dba, Facebook, Inc., and Jeff Bezos, dba, Amazon, Inc., upon the  
4 complaint heretofore filed and served upon the defendant, in accordance with the  
5 provisions of Rule 55(a), Federal Rules of Civil Procedure, and in support thereof shows  
6 the Court the following:  
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8  
9 1. On February 28, 2021, the plaintiff filed in the United States District Court,  
10 Northern District of California, San Francisco Division, a Complaint alleging certain  
11 anticompetitive practices by defendants in violation of Section 1 and 2 of the Sherman  
12 Act, 15 U.S.C. § 1; 15 U.S.C. § 2; and pendent state law claims. The clerk of the United  
13 States District Court issued summons on March 1, 2022. A copy of said Summons (and  
14 proofs of service) are filed herewith (and separate from this motion). A copy of the  
15 Complaint is located on the PACER service and can be readily and electronically  
16 accessed by each of the Defendants, jointly and severally, and is incorporated herein by  
17 reference.  
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19  
20 2. On March 9, 2022, a copy of said Summons & Complaint in this Civil  
21 Action were served by the United States Postal Service (certified mail/Signature  
22 Required) upon defendants' Attorney-of-Record, at the Defendants' place(s) of business  
23 located at 1601 Willow Road, Menlo Park, California 94025 (picked up by individual at  
24 post office); 1600 Amphitheatre Way, Mountain View, California 94043 (delivered front  
25 desk receptionist); 243 Bartlett St., San Francisco, CA 94110; P. O. Box 81226, Seattle,  
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1 Washington 98108-1226 (pick-up and delivered to individual); and 1200 12th Avenue  
2 South, Suite 1200, Seattle, WA 98144-2734. Two (2) Copies of the Notice &  
3 Acknowledgement of Receipt (CCP § 415.30) with self-addressed, postage prepaid  
4 envelopes were enclosed and served upon each defendant.  
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6 3. A Pro Se litigant's pleadings and papers are deemed served, upon delivery of  
7 said papers and pleadings to the PostMaster General, or his designated representative.  
8 [Citations omitted.]  
9

10 4. A copy of the Summons, Proof of Service (FRCP 4(l), are filed herewith  
11 (separately) and incorporated herein by reference.  
12

13 5. On April 1, 2022, twenty-one days had elapsed since the service of said  
14 Summons & Complaint upon defendants, and no Answer thereto having been served by  
15 defendant, plaintiff attempted to contact each defendant by phone, to no avail.  
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17 6. California Code of Civil Procedure § 415.30, requires personal service on  
18 the Defendants after service by mail. On April 11, 2022; and April 15, 2022, Plaintiff, in  
19 fact, caused personal service upon the Defendants' Attorneys of Record. In the State of  
20 California, service is effected upon the represented party's attorney of record, at their  
21 principal place of business located at 1601 Willow Road, Menlo Park, California 94025  
22 (picked up by individual at post office); 1600 Amphitheatre Way, Mountain View,  
23 California 94043 (delivered front desk receptionist); 243 Bartlett St., San Francisco, CA  
24 94110; P. O. Box 81226, Seattle, Washington 98108-1226 (pick-up and delivered to  
25 individual); and 1200 12th Avenue South, Suite 1200, Seattle, WA 98144-2734. As of  
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May 18, 2022, neither Defendant has filed, nor served an answer upon the Plaintiff.

7. The Defendants, jointly and severally, have failed to plead, or otherwise defend this action, and the Plaintiff is entitled to entry of default judgment against the defendants, and each of them, jointly and severally.

8. Pursuant to the provisions of Rule 55(a), Federal Rules of Civil Procedure, the Clerk is empowered to enter a default against the defendants after written notice of this action has been given to the defendants, and defendants failure to respond, or contest service. as set forth in the attached affidavit.

### **PRAYER**

**WHEREFORE**, plaintiff prays that the Clerk of this Court enter a default against defendants, and each of them, jointly and severally, and the Court issue and enter default judgment in favor of Plaintiff, as provided in the proposed Final Judgment filed hereafter this Motion.

### **AFFIDAVIT**

I, Harry J. Williby, do hereby certify that the statements and allegations set forth in the foregoing Motion are true and accurate to the best of our knowledge and belief.

Dated this 5th day of **June, 2022**

Harry J. Williby (CGS)

Harry J. Williby

Bar #: In Pro Se

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